

R430-90-3, R430-50-3. LICENSE REQUIRED.

Licensed Family 90-3:

- (1) A person must either be licensed under this rule or certified under R430-50, if he or she:
- (a) provides care in lieu of care ordinarily provided by a parent;

Residential Certificate 50-3:

- (1) A person must either be certified under this rule or licensed under R430-90, if he or she:
- (a) provides care in lieu of care ordinarily provided by a parent;

Rationale / Explanation

Preschools and other programs that care for children for less than 4 hours per day are not required to be licensed. This includes preschools that have a morning and afternoon session, each less than 4 hours, provided that the same children do not attend both the morning and afternoon sessions.

Licensed Family 90-3:

- (1) A person must either be licensed under this rule or certified under R430-50, if he or she:
- (b) provides care for five or more unrelated children;

Residential Certificate 50-3:

- (1) A person must either be certified under this rule or licensed under R430-90, if he or she:
- (b) provides care for five or more unrelated children;

Rationale / Explanation

Providers who care for four or fewer children are not required by statute to be regulated, whether the care is provided in a home or center.

Licensed Family 90-3:

- (1) A person must either be licensed under this rule or certified under R430-50, if he or she:
- (c) provides care for four or more hours per day;

Residential Certificate 50-3:

- (1) A person must either be certified under this rule or licensed under R430-90, if he or she:
- (c) provides care for four or more hours per day;

Rationale / Explanation

Providers who care for four or more hours a day are required by statute to be regulated, whether the care is provided in a home or center.

Licensed Family 90-3:

- (1) A person must either be licensed under this rule or certified under R430-50, if he or she:
- (d) has a regularly scheduled, ongoing enrollment; and

Residential Certificate 50-3:

- (1) A person must either be certified under this rule or licensed under R430-90, if he or she:
- (d) has a regularly scheduled, ongoing enrollment; and

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Rationale / Explanation

This means that children attend the program on a regular basis, as opposed to occasional drop-in care.

Licensed Family 90-3:

- (1) A person must either be licensed under this rule or certified under R430-50, if he or she:
(e) provides care for direct or indirect compensation.

Residential Certificate 50-3:

- (1) A person must either be certified under this rule or licensed under R430-90, if he or she:
(e) provides care for direct or indirect compensation.

Rationale / Explanation

This means the provider receives some form of compensation, whether monetary, or in the form of a trade for goods or services.

Licensed Family 90-3:

- (2) The Department does not license, nor is a license required for:
(a) a person who cares for related children only; or

Residential Certificate 50-3:

- (2) The Department does not issue certificates, nor is a certificate required for:
(a) a person who cares for related children only; or

Rationale / Explanation

Providers who care for related children only are not required by statute to be regulated.

Licensed Family 90-3:

- (2) The Department does not license, nor is a license required for:
(b) a person who provides care on a sporadic basis only.

Residential Certificate 50-3:

- (2) The Department does not issue a certificate, nor is a certificate required for:
(b) a person who provides care on a sporadic basis only.

Rationale / Explanation

This means the provider only watches children occasionally.